

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

MAZY SEHRGOSHA, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

v.

KINDRED HEALTHCARE, INC.,
PHYLLIS R. YALE, BENJAMIN A.
BREIER, JOEL ACKERMAN, JONATHAN
D. BLUM, PAUL J. DIAZ, HEYWARD R.
DONIGAN, RICHARD GOODMAN,
CHRISTOPHER T. HJELM FRED J.
KLEISNER, SHARAD MANSUKANI,
M.D., and LYNN SIMON, M.D.,

Defendants.

Case No. 1:18-cv-00230-RGA

**[PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION FOR EXPEDITED
DISCOVERY**

THIS COURT, having considered Plaintiff's Motion to Expedite Discovery (the "Motion"), all papers in support and in opposition to, and good cause appearing therefore, the Court HEREBY ORDERS as follows:

1. Plaintiff's Motion is granted.
2. Defendants¹ shall produce, within seven days of this order, the following documents dated from June 1, 2016 to the present:
 - a. All sets of financial projections, forecasts, and/or models created, distributed, provided, and/or utilized during the time period of and/or for the purpose of the Proposed Transaction;

¹ The Defendants in the Action are: Kindred Healthcare, Inc., Phyllis R. Yale, Benjamin A. Breier, Joel Ackerman, Jonathan D. Blum, Paul J. Diaz, Heyward R. Donigan, Richard Goodman, Christopher T. Hjelm, Fred J. Kleisner, Sharad Mansukani, M.D., and Lynn Simon, M.D.

- b. All presentations or materials reviewed by the Board regarding the Proposed Transaction, including all presentations prepared by Company management or any financial advisors; and
 - c. The meeting minutes of the Board with attachments and materials reviewed at the meetings, insofar as the materials relate to the Proposed Transaction or strategic alternatives to the Proposed Transaction.
3. Defendants must also make Individual Defendant Benjamin A. Breier available for a deposition beginning ten days after the aforementioned documents are produced. Defendants must also work with Plaintiff in good faith to facilitate the deposition of the person most knowledgeable from each Barclays Capital Inc. and Guggenheim Securities, LLC concerning the Proposed Transaction.

IT IS HEREBY ORDERED, this ____ day of _____, 2018, that plaintiff's Motion to Expedite Discovery is GRANTED.

United States District Court Judge
RICHARD G. ANDREWS